

REMARKS

Review and reconsideration of the Office Action dated November 30, 2004, is respectfully requested in view of the above amendments and the following remarks.

Applicants are pleased to see that the Examiner has withdrawn the entire prior art rejections.

Claim 42 has been cancelled. The remaining claims have been amended by:

- 1) replacing the term "aroma" with the term "flavor".
- 2) replacing the term "perfume" with the term "fragrance".

These amendments are necessary in order to correct translation errors.

Support for the claim amendment can be found on page 1, line 6, of the specification as originally filed where there is an indication that the term "aromas" means "flavoring matter".

In addition, Applicants would like to point out to the Examiner that the present application is claiming priority over two German applications. In the German language the term "aroma" means "flavor". Thus, Applicants believe that during the translation, the term "aroma" was used instead of the term "flavor".

Applicant also would like to point out to the Examiner that during the translation, the term "perfume" was used instead of the term "fragrance". Thus, Applicants have amended the claims by replacing the term "perfume" with the term "fragrance".

Office Action

Turning to the Office Action, the paragraphing of the Examiner is adopted.

Paragraphs 1-2 (Response to Arguments)

The Examiner indicated that Applicant's arguments with respect to the Schoebel reference have been fully considered and **are persuasive**. The rejection of the claims **has been withdrawn**.

Applicants are pleased with the indication.

Paragraph 3 (Information Disclosure Statement)

The Examiner indicated that the references mentioned in the Prior Art section of the specification has not been considered because they have not been presented on an Information Disclosure Statement (IDS).

Applicants note that the previous Attorney filed an IDS on January 30, 2002. The IDS included a list of the references

mentioned in the Prior Art section of the specification. In addition, Applicants note that the Examiner even acknowledged the entry of the IDS. (See attachment A)

Paragraphs 1-2 (Formalities Rejections)

The Examiner rejects Claim 45 under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for modified celluloses that specifically have reversible gel formation as temperature increases, does not reasonably provide enablement for any modified cellulose.

The position of the Examiner can be found on page 3 of the Office Action.

In response, Applicants have amended Claim 45 to overcome the rejection.

Accordingly, withdrawal of the rejection is respectfully requested.

Paragraphs 3-4 (Formalities Rejections)

The Examiner rejects Claims 20-45 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The position of the Examiner can be found on page 3 of the Office Action.

In response, Applicants have amended the claims to overcome the rejection. The claims have been amended by replacing the term "aroma" with the term "flavor". Support for the claim amendment can be found on page 1, line 6, of the specification as originally filed where there is an indication that the term "aromas" means "flavoring matter".

In addition, Applicants would like to point out to the Examiner that the present application is claiming priority over two German applications. In the German language the term "aroma" means "flavor". Thus, Applicants believe that during the translation, the term "aroma" was used instead of the term "flavor".

Applicant also would like to point out to the Examiner that during the translation, the term "perfume" was used instead of the term "fragrance". Thus, Applicants have amended the claims by replacing the term "perfume" with the term "fragrance".

The Examiner rejects Claim 42 under 35 U.S.C. 112, second paragraph, because the claim contains conflicting transitional clauses.

U.S. PATENT APPLICATION No. 09/787,180
AMENDMENT E

ATTY. DOCKET: 3968.019

The position of the Examiner can be found on page 4 of the Office Action.

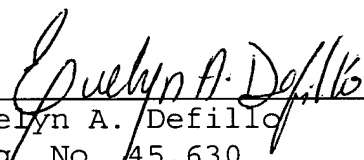
Basically, the Examiner indicated that the claim contains the close transitional phrase "consisting of" and the open transitional phrase "comprising".

In response, Applicants have cancelled Claim 42.

Applicants believe that all the claims are now in conditions for allowance.

Favorable consideration and early indication of allowability is respectfully requested. The Examiner is respectfully requested to contact the undersigned so that a telephonic interview may be arranged.

Respectfully submitted,



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Date: **February 28, 2005**

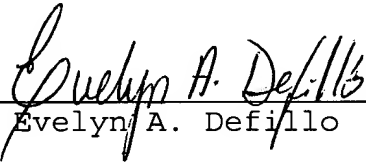
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CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that a copy of the foregoing AMENDMENT E for U.S. Application No. 09/787,180 filed May 10, 2001, was deposited in first class U.S. mail, with sufficient postage, addressed: **Mail Stop Amendment**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on **February 28, 2005**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Evelyn A. Defillo